**IN THE HIGH COURT OF UTTARANCHAL**
**AT NAINITAL**
**Writ Petition No. 800 of 2005 (S/S)**

Ram Deo Parashar
S/o Shri B.R. Parashar
R/o Pooja Vihar, West Central Sewlakalan
Dehradun,
District- Dehradun …….Petitioner

Versus

1. State of Uttaranchal
Through Secretary, Mines & Minerals Department
Uttaranchal Secretariat, Dehradun

2. Additional Director
Mines & Minerals Unit, Industry Directorate,
Uttaranchal, Dehradun

3. Joint Director
Mines & Minerals Unit, Industry Directorate,
Uttaranchal, Dehradun

4. Additional District Magistrate
(Finance/Revenue), Dehradun …….Respondents

Sri Ram Ji Srivastava, learned counsel for the petitioner.
Sri Paresh Tripathi, leaned Standing Counsel for the respondents.

**Hon'ble B.C. Kandpal, J.**

By way of this writ Petition a direction has been sought in the nature of certiorari quashing the impugned order dated 13.06.2005 (Annexure -5 to this writ petition) passed by the Additional Director, Mines & Minerals Unit, Industry Directorate, Uttaranchal, Dehradun (respondent no. 2) thereby suspension the petitioner within immediate effect.

Heard leaned counsel for the parties and perused the record.

The petitioner has taken several grounds by which he has tried to raise submission before the court that the grounds mentioned in the suspension order are vague as it was not the

duty of the petitioner to do with the work of demarcation and inspection of mining. It has also been submitted that the Diector concerned is the appointing authority and the suspension order has been passed by the respondent no. 2 who is Additional Director having no authority to pass the impugned order. Hence, the impugned order suspending the petitioner is bad in law.

I could not lay my hands on any point raised by the petitioner that the impugned order passed by respondents no. 2 suffers with any kind of malafidies. The chargesheet has been served upon the petitioner and the chargesheet relates to the factual aspects and the petitioner has to submit the reply before the Inquiry Officer against the charges leveled against him. It is the Inquiry Officer who will assess as to whether the charges leveled against him were justified or not.

At this stage, I do not find any ground for interference in the impugned order dated 13.06.2005 passed by the respondent no.2.

The writ petition is dismissed in limine.

**(B.C. Kandpal, J.)**

23nd June, 2005

Shiv